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HARYANA GOVERNMENT

TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 17th August, 2021

No. Misc-1022/19973.— The Government is pleased to notify policy for Medico-Assisted Living Facility in the State of Haryana under the provisions of Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 to cater to such patients not needing hospitalisation but requiring regular checkup/ medical supervision for either short or long periods.

The policy, of which the details are given below, has been approved by the Council of Ministers in its meeting held on 05.08.2021 as conveyed vide their U.O No.9/93/2021-2Cabinet dated 05.08.2021. This policy shall come into effect from the date of its notification. The Director, Town and Country Planning, Haryana, is hereby directed to ensure effective implementation of this policy in the urban areas of the State of Haryana.

SUBJECT: POLICY FOR PLANNED DEVELOPMENT OF MEDICO ASSISTED LIVING FACILITIES THROUGH GRANT OF CLU PERMISSION UNDER ACT NO 41 OF 1963.

1. **FOREWORD:** A number of adult persons, after their treatment or otherwise require some regular checkup/medical supervision/personal Care for Activities of Daily Living. In some of the cases such care/medical supervision or stay in this regard may extend from days to months. The outstation patients and their family members/caretakers/ caregivers are forced to stay in hotels or illegal rental facilities created by the owners of houses around the medical treatment centers. The operation of such illegal facilities needs to be curbed as the residences, where these are being run, are not planned/designed for such usage. It is imperative that such practises be discouraged by putting in appropriate policy parameters for grant of CLU permission for “Assisted-Living-Facility.”
2. **PLANNING PRINCIPLES:** These projects shall serve to the patients/ attendants needing temporary accommodation with basic facilities like small medical facility, food, laundry etc. The broad principles that shall be followed for such projects are as follows:
 - (i) The project shall be operated on rental model for all times to come, i.e., no part of the project can be alienated on permanent basis through sale/transfer.
 - (ii) Whereas, the pre-dominant use shall be medically assisted living for patients as well as their family member/ caretakers, such uses that are ancillary to the main uses, viz., medical, laundry, dining area, dormitory for nursing/ support staff etc shall also be permitted.
3. **LOCATIONAL NORMS:** Any case which fulfills the following location norms can be considered for grant of CLU permission for Medico-Assisted-Living-Facility project:
 - i. Such permission shall be permitted in the Residential and Institutional Zones of Development Plans.

4. **AREA AND ACCESS NORMS:** The area norms for the purpose of the present policy shall be as follows:
 - i. Such projects shall be allowed on a residential plot of 500 sq. mtr. to 1 acre under same ownership.
 - ii. The residential and institutional plots which are part of HSVP developed sectors/ license granted plotted colonies, shall also be eligible for grant of permission under this policy.
 - iii. **Access Parameters:** The site should be accessible from a minimum 6 Karam wide revenue rasta/existing road.
 - iv. There shall be no limit on number of such permissions in a sector.
 - v. The permission shall also be given to those buildings which are constructed at site. As far as un-built/ undeveloped/ non- constructed allotted plots in HSVP/ licensed area is concerned, the owners shall produce allotment letter and/ or conveyance deed in respect of unbuilt/ un-developed plots in HSVP/ licensed area. However, in case of un-acquired pockets, the applicant may apply for seeking CLU permission on prescribed Form CLU-I alongwith scrutiny fee @ Rs. 10 per sqm under the provisions of Punjab Scheduled Roads and Controlled Areas restriction of Unregulated Development Act, 1963 and Rules thereof in the office of concerned District Town Planner.
 - vi. The owner of the building is liable to seek permission from competent authority of Department of Town & Country Planning to run such facility in a developed sector of Haryana Shehri Vikas Pradhikaran (HSVP)/colonizer allotted residential plot where internal services are laid by HSVP/colonizer. The competent authority to grant a permission in respect of the sites situated within the limit of Municipal Corporations/ Councils/Committees, as the case may be, shall be granted by Director, Urban Local Bodies Department or any officer authorized by him in this regard.
5. **Planning Parameters:** The following planning parameters shall be followed in case of such projects:
 - i. The FAR, setbacks, height etc commensurate with the residential plot as per provisions of the Haryana Building Code-2017, as amended from time to time, shall be allowed.
 - ii. The parking of the vehicles including ambulances will be done entirely within the plot/ site boundary. Removing of the front boundary wall for such purpose shall also be permitted.
 - iii. The owner shall not be allowed to sell/alienate the rooms/either on outright sale basis or through long term lease of one year or more. The project shall also not be covered under the Haryana Apartments Ownership Act, 1983.
6. **APPLICABLE FEES & CHARGES:** No external development charges shall be levied in case the site is an allotted site of HSVP or is part of licenced colony. Levy of conversion charges equivalent to 50% of conversion charges applicable to commercial use prescribed for upto 150% FAR shall be applicable. However, full EDC shall be levied for un-acquired pockets/self developed land while seeking such permission in addition to conversion charges equivalent to 50% of conversion charges applicable to commercial use prescribed for upto 150% FAR. Scrutiny fees shall be applicable as per prescribed rates. In case of HSVP sectors or licensed colonies, additional IAC charges shall also be recovered.
7. **SPECIAL DISPENSATIONS:**
 - a. **Monitoring Committee:** The project proponent shall be required to file an annual report containing the complete list of occupants, the duration of occupancy, the rent charged from such occupants, the facilities offered in the premises etc. to the Monitoring Committee to be chaired by the Deputy Commissioner of the concerned district on a format, as prescribed. Apart from the Deputy Commissioner, such committee shall consist of two permanent members, i.e. (i) CMO or his representative (not below the rank of SMO) and (ii) Concerned DTP/ Municipal Commissioner (or his representative) or Executive Officer, as applicable/ CEO, GMDA/ FMDA (or his representative). The committee shall be free to co-opt two additional members, who should be eminent persons of their choice as members of the committee.
 - b. The Monitoring Committee shall be empowered to make regular checks of the premises to ascertain that the facilities are being maintained properly and the policy provisions are not being violated.
 - c. Necessary amendment to the Rules 1965 and the zoning regulations, if necessary, shall be undertaken to incorporate the said provisions.
8. This policy has been approved by Council of Ministers in its meeting held on 05.08.2021 as conveyed *vide* U.O No.9/93/2021-2Cabinet dated 05.08.2021.

ANNEXURE-A*Mandatory Medical Services envisaged*

- a. 24X7 on-site ambulance service with oxygen support facility, tied up with approved hospital.
- b. Basic first aid medical facility with nurse and physiotherapy services / Geriatric Care Centres. The emergency contact numbers for the medical facilities and ambulance services shall be displayed outside the common areas of the premises.
- c. Mandatory tie-up with the emergency facilities with the approved hospitals/multi Super Specialty Hospital(s).
- d. Regular medical check-up and follow-up for the residents as required.
- e. Pharmacy tie-ups for medicine with door-step delivery.
- f. Wheelchair facility to be provided, minimum one in each block of all the towers

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